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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FOURTH QUARTER OF
2022**

Judge: Hon. Claudia Wilken

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER CONFIRMING UNDISPUTED ATTORNEYS' FEES AND COSTS FOR THE
FOURTH QUARTER 2022**

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on January 24, 2023, Plaintiffs served on Defendants
5 their Fourth Quarterly Statement for 2022 by electronic transmission. The parties
6 completed their meet-and-confer process on March 11, 2023 as to the fees and costs
7 incurred on all matters.

8 As a result of the March 11, 2023 agreement, the parties agree to the following:

9 The parties agree to the payment of \$2,712,947.10 to resolve all fees and costs
10 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.

15 The parties agree to the payment of \$174,906.35 to resolve all fees and costs
16 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
17 the Board of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are
18 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
19 the parties to settle these claims.

20 The parties agree to the payment of \$168,219.40 to resolve all fees and costs
21 incurred during the Fourth Quarter of 2022, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$31,229.55 to resolve all fees and costs incurred
26 during the Fourth Quarter of 2022, for fees work. Attached hereto as **Exhibit D** are charts
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from February 23, 2023, accruing at the rate provided by 28 U.S.C.
4 § 1961.

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6 DATED: _____

Claudia Wilken
United States District Judge

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13 APPROVED AS TO FORM:

14
15 DATED: March 16, 2023

/s/Sharon Garske
Sharon Garske
Supervising Deputy Attorney General
Attorney for Defendants

16
17
18
19 DATED: March 16, 2023

/s/Gay Crosthwait Grunfeld
Gay Crosthwait Grunfeld
Rosen Bien Galvan & Grunfeld LLP
Attorney for Plaintiffs

EXHIBIT A

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$2,649,072.84	\$63,874.26
	TOTAL UNDISPUTED:	\$2,712,947.10

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022
Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2022		Fees Now Owing
	Hours	Hours	Rates	Total	Based On Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWVB)	5.00	4.80	\$1,400	\$6,720.00	\$6,468.00
Gay C. Grunfeld (GCG)	36.60	36.60	\$1,000	\$36,600.00	\$35,227.50
Penny Godbold (PG)	358.60	358.60	\$800	\$286,880.00	\$276,122.00
Thomas Nolan (TN)	248.50	237.40	\$825	\$195,855.00	\$188,510.44
Michael L. Freedman (MLF)	207.70	205.40	\$750	\$154,050.00	\$148,273.13
Ben Bien-Kahn (BBK)	130.30	128.60	\$725	\$93,235.00	\$89,738.69
Kara J. Janssen (KJJ)	0.40	0.00	\$700	\$0.00	\$0.00
Caroline E. Jackson (CEJ)	114.70	110.60	\$650	\$71,890.00	\$69,194.13
Michael S. Nunez (MSN)	43.10	35.00	\$675	\$23,625.00	\$22,739.06
Cara E. Trapani (CET)	0.30	0.00	\$550	\$0.00	\$0.00
Mark Shinn-Krantz (MSK)	0.60	0.00	\$550	\$0.00	\$0.00
Priyah Kaul (PK)	17.70	17.70	\$575	\$10,177.50	\$9,795.84
Eric Monek Anderson (EMA)	250.80	250.50	\$500	\$125,250.00	\$120,553.13
Hannah Chartoff (HC)	62.20	62.20	\$425	\$26,435.00	\$25,443.69
Adrienne Harrold (AH)	72.60	67.70	\$425	\$28,772.50	\$27,693.53
Karen Stilber (KES)	89.30	88.20	\$400	\$35,280.00	\$33,957.00
F. Gail LaPurja (FGL)	5.60	0.00	\$375	\$0.00	\$0.00
Greg Gonzalez (GZG)	11.30	7.50	\$375	\$2,812.50	\$2,707.03
Nathalie Welch (NW)	8.30	6.60	\$300	\$1,980.00	\$1,905.75
Fely F. Villadelgado (FFV)	104.50	0.00	\$300	\$0.00	\$0.00
Adam Dean (ADD)	148.30	145.00	\$300	\$43,500.00	\$41,868.75
Sanjana Srinivasan (SS)	11.30	11.30	\$300	\$3,390.00	\$3,262.88
Yesi Muriilo (YM)	14.00	13.10	\$300	\$3,930.00	\$3,782.63
Ellen T. Brancart (ETB)	9.60	9.60	\$260	\$2,496.00	\$2,402.40
Sarah A. Corkum (SAC)	32.00	30.40	\$260	\$7,904.00	\$7,607.60
Teya Khalil (TK)	31.50	31.50	\$260	\$8,190.00	\$7,882.88
Emma Lower (ERL)	374.50	358.90	\$260	\$93,314.00	\$89,814.73
Lindsay Newfeld (LHN)	251.40	244.10	\$260	\$63,466.00	\$61,086.03
Hannah Potter (HP)	23.40	21.60	\$260	\$5,616.00	\$5,405.40
Amit Rao (AR)	369.50	294.60	\$260	\$76,596.00	\$73,723.65
Megan Rich (MTR)	209.60	193.40	\$260	\$50,284.00	\$48,398.35
Averi Suk (ADS)	364.10	331.60	\$260	\$86,216.00	\$82,982.90
Julie de Vault (JDV)	14.50	14.50	\$260	\$3,770.00	\$3,628.63
Luke Weitzenberg (LRW)	27.80	27.80	\$260	\$7,228.00	\$6,956.95
Isabel Ting (IT)	5.60	0.00	\$260	\$0.00	\$0.00
Total Hours:	3,655.20	3,344.80		\$1,555,462.50	\$1,497,132.66
<u>RBGG FEES:</u>					
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	5.10	5.10	\$1,100	\$5,610.00	\$5,399.63
Rita Lomio (RL)	297.80	297.80	\$725	\$215,905.00	\$207,808.56
Margot Mendelson (MM)	49.40	49.40	\$700	\$34,580.00	\$33,283.25
Tess Borden (TB)	187.90	187.90	\$550	\$103,345.00	\$99,469.56
Jacob Hutt (JH)	274.00	274.00	\$475	\$130,150.00	\$125,269.38
Patrick Booth (PB)	136.50	136.50	\$400	\$54,600.00	\$52,552.50
Sophie J. Hart (SJH)	11.90	11.90	\$475	\$5,652.50	\$5,440.53
Amber Norris (AN)	130.30	130.30	\$400	\$52,120.00	\$50,165.50
Claudia Cesena (CS)	160.00	160.00	\$400	\$64,000.00	\$61,600.00
A.D. Lewis (ADL)	37.10	37.10	\$350	\$12,985.00	\$12,498.06
Tania Amarillas (TA)	170.70	170.70	\$350	\$59,745.00	\$57,504.56
Tovah Anna Ackerman (TAA)	109.50	109.50	\$350	\$38,325.00	\$36,887.81
Gabriela Pelsinger (GP)	188.10	188.10	\$350	\$65,835.00	\$63,366.19
Skye Lovett (SL)	374.10	374.10	\$325	\$121,582.50	\$117,023.16
Alondra Diaz-Saavedra	43.00	43.00	\$300	\$12,900.00	\$12,416.25
Audrey Lim (AL)	80.80	80.80	\$300	\$24,240.00	\$23,331.00
Dewi Zarni (DZ)	57.30	57.30	\$300	\$17,190.00	\$16,545.38
Ilian Meza Pena (IP)	75.80	75.80	\$300	\$22,740.00	\$21,887.25
Isabela Avila Breach (IAB)	182.80	182.80	\$300	\$54,840.00	\$52,783.50
Joanna Cardenas (JC)	215.00	215.00	\$300	\$64,500.00	\$62,081.25
Sophie Mishara (SM)	119.10	119.10	\$300	\$35,730.00	\$34,390.13
Total Hours:	2,906.20	2,906.20		\$1,196,575.00	\$1,151,703.44
<u>PLO FEES:</u>					
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Case Clerk (H. Min)	1.20	1.20	\$205	\$246.00	\$236.75
Total Hours:	1.20	1.20		\$246.00	\$236.75
<u>DREDF FEES:</u>					
<u>TOTAL CDCR/AOAP MONITORING FEES:</u>					
				\$2,752,283.50	\$2,649,072.84

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Costs***Matter: CDCR/AOAP Merits/Monitoring*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-3)****Costs****Based on Negotiated****Compromise**

Photocopying (In house)	\$860.40	\$828.14
Photocopying/printing (Outside)	\$2,253.24	\$2,168.74
Server storage/data hosting	\$403.00	\$387.89
Expert Services	\$17,575.80	\$16,916.71
Transcription and Translation	\$598.03	\$575.60
Online Research - PACER, Westlaw, State courts	\$835.06	\$803.75
Postage & Delivery	\$638.44	\$614.50
Telephone	\$1.80	\$1.73
Travel - Mileage, Tolls, Food	\$15,971.65	\$15,372.71
Credit	(\$27.28)	(\$27.28)
Total RBGG Costs:	\$39,110.14	\$37,642.49

Prison Law Office

Transcription and translation	\$5,393.52	\$5,191.26
SLI Interpreter Services	\$8,617.61	\$8,294.45
Travel - Mileage, Tolls, Food	\$11,491.54	\$11,060.61
Postage & Delivery	\$1,664.44	\$1,602.02
Total PLO Costs:	\$27,167.11	\$26,148.34

Disability Rights Education & Defense Fund, Inc.

Photocopying (in-house)	\$74.80	\$72.00
Postage & Delivery	\$11.88	\$11.43
Total DREDF Costs:	\$86.68	\$83.43

TOTAL CDCR/AOAP MERITS/MONITORING COSTS:	\$66,363.93	\$63,874.26
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EXHIBIT B

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$173,497.84	\$1,408.50
	TOTAL UNDISPUTED:	\$174,906.35

Armstrong v. Newsom
 Fourth Quarterly Statement of 2022
 October 1, 2022 through December 31, 2022
Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2022		Fees Now Owing
	Hours	Hours	Rates	Total	Based On Negotiated Compromise
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.50	0.50	\$1,400	\$700.00	\$673.75
Gay C. Grunfeld (GCG)	2.5	2.5	\$1,000	\$2,500.00	\$2,406.25
Thomas Nolan (TN)	62.60	60.50	\$825	\$49,912.50	\$48,040.78
Penny Godbold (PG)	15.60	15.60	\$800	\$12,480.00	\$12,012.00
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$725	\$0.00	\$0.00
Caroline E. Jackson (CEJ)	59.40	55.30	\$650	\$35,945.00	\$34,597.06
Eric Monek Anderson (EMA)	0.10	0.00	\$500	\$0.00	\$0.00
Hannah Chartoff (HC)	28.10	28.10	\$425	\$11,942.50	\$11,494.66
F. Gail LaPurja (FGL)	0.10	0.00	\$375	\$0.00	\$0.00
Nathalie Welch (NW)	57.80	55.90	\$300	\$16,770.00	\$16,141.13
Adam Dean (AD)	1.80	0.00	\$300	\$0.00	\$0.00
Hannah Potter (HAP)	10.00	8.00	\$260	\$2,080.00	\$2,002.00
Amit Rao (AR)	3.90	0.00	\$260	\$0.00	\$0.00
Total Hours:	242.60	226.40			
RBGG FEES:				\$132,330.00	\$127,367.63
<u>PRISON LAW OFFICE</u>					
Donald Specter	0.8	0.8	\$1,100	\$880.00	\$847.00
Sara Norman (SN)	1.2	1.2	\$900	\$1,080.00	\$1,039.50
Rita Lomio (RL)	6.6	6.6	\$725	\$4,785.00	\$4,605.56
Rana Anabtawi (RA)	47.2	47.2	\$700	\$33,040.00	\$31,801.00
Jacob Hutt (JH)	12.9	12.9	\$475	\$6,127.50	\$5,897.72
Patrick Booth (PB)	0.4	0.4	\$400	\$160.00	\$154.00
Tania Amarillas (TA)	5.3	5.3	\$350	\$1,855.00	\$1,785.44
Total Hours:	68.30	68.30			
PLO FEES:				\$47,927.50	\$46,130.22
TOTAL FEES FOR BPH WORK:				\$180,257.50	\$173,497.84

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Costs***Matter: BPH***

	<u>Costs</u>	Costs Now Owing <u>Based on Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Transcription and Translation		
Westlaw research	\$49.88	\$48.01
Travel - Mileage, Tolls, Food	\$1,151.77	\$1,108.58
Total RBGG Costs:	\$1,201.65	\$1,156.59
 <u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$261.73	\$251.92
Total PLO Costs:	\$261.73	\$251.92
 TOTAL BPH COSTS:	\$1,463.38	\$1,408.50

EXHIBIT C

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$167,099.14	\$1,120.26
	TOTAL UNDISPUTED:	\$168,219.40

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2022		Fees Now Owning
	Hours	Hours	Rates	Total	Based On Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.50	1.50	\$1,400	\$2,100.00	\$2,021.25
Gay C. Grunfeld (GCG)	2.70	2.70	\$1,000	\$2,700.00	\$2,598.75
Ernest Galvan (EG)	0.10	0.00	\$950	\$0.00	\$0.00
Penny Godbold (PG)	8.60	8.60	\$800	\$6,880.00	\$6,622.00
Thomas Nolan (TN)	22.00	22.00	\$825	\$18,150.00	\$17,469.38
Michael L. Freedman (MLF)	0.40	0.00	\$750	\$0.00	\$0.00
Benjamin Bien-Kahn (BBK)	20.10	19.90	\$725	\$14,427.50	\$13,886.47
Caroline E. Jackson (CEJ)	7.80	7.60	\$650	\$4,940.00	\$4,754.75
Priyah Kaul (PK)	14.70	14.70	\$575	\$8,452.50	\$8,135.53
Marc Shinn-Krantz (MSK)	0.20	0.00	\$550	\$0.00	\$0.00
Eric Monek Anderson (EMA)	20.00	20.00	\$500	\$10,000.00	\$9,625.00
Adrienne Harrold (AH)	74.40	71.30	\$425	\$30,302.50	\$29,166.16
Hannah Chartoff (HC)	26.20	26.20	\$425	\$11,135.00	\$10,717.44
Nathalie Welch (NCW)	186.80	185.00	\$300	\$55,500.00	\$53,418.75
Amit Rao (AR)	47.70	34.70	\$260	\$9,022.00	\$8,683.68
Total Hours:	433.20	414.20			
RBGG FEES:				\$173,609.50	\$167,099.14
TOTAL FOR DAPO MONITORING WORK:				\$173,609.50	\$167,099.14

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)****Costs****Costs Now Owing
Based on Negotiated
Compromise**

Photocopying (in-house)	\$92.20	\$88.74
Postage & Delivery	\$156.81	\$150.93
Long distance and videophone charges	\$1.55	\$1.49
Travel - Mileage, Tolls, Food	\$1,025.48	\$987.02
Refunds	(\$107.93)	(\$107.93)
Total RBGG Costs:	\$1,168.11	\$1,120.26
TOTAL DAPO MONITORING COSTS:	\$1,168.11	\$1,120.26

EXHIBIT D

Armstrong v. Newsom
Fourth Quarterly Statement of 2022
October 1, 2022 through December 31, 2022

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$31,172.97	\$56.59
TOTAL UNDISPUTED:		\$31,229.55

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual	Claimed	2022		Fees Now Owing
	Hours	Hours	Rates	Total	<u>Based On Negotiated</u>
					<u>Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	20.10	20.00	\$1,000	\$20,000.00	\$19,250.00
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$950	\$0.00	\$0.00
Karen E. Stilber (KES)	13.60	13.60	\$400	\$5,440.00	\$5,236.00
Total Hours:	33.80	33.60			
RBGG FEES:				\$25,440.00	\$24,486.00
<u>PRISON LAW OFFICE</u>					
Rita Lomio (RL)	1.20	1.20	\$725	\$870.00	\$837.38
Margot Mendelson (MKM)	3.80	3.80	\$700	\$2,660.00	\$2,560.25
Ashley Kirby (AK)	8.00	8.00	\$250	\$2,000.00	\$1,925.00
Total Hours:	13.00	13.00			
PLO FEES:				\$5,530.00	\$5,322.63
<u>DISABILITY RIGHTS EDUCATION AND</u>					
<u>DEFENSE FUND</u>					
Linda Kilb (LDK)	1.50	1.50	\$945	\$1,417.50	\$1,364.34
Total Hours:	1.50	1.50			
DREDF FEES:				\$1,417.50	\$1,364.34
TOTAL FEES FOR ARMSTRONG					
FEES WORK:				\$32,387.50	\$31,172.97

Armstrong v. Newsom

Fourth Quarterly Statement of 2022

October 1, 2022 through December 31, 2022

Costs***Matter: Fees Work in All Matters***

		Costs Now Owing	
		<u>Costs</u>	<u>Based on Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>			
Pacer		\$0.80	\$0.77
Postage & Delivery		\$57.99	\$55.82
	Total RBGG Costs:	\$58.79	\$56.59
	TOTAL FEES WORK COSTS :	\$58.79	\$56.59